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7 *Attorney for Defendant*
8 *Devarian Haynes*

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,

2:20-cr-126-APG-VCF

12 Plaintiff,

**DEFENDANT'S MOTION TO
MODIFY CONDITIONS OF
RELEASE**

13 vs.

14 DEVARIAN HAYNES,

15 Defendant.

16 COMES NOW, Defendant, DEVARIAN HAYNES, by and through his
17 counsel of record, Christopher Mishler, of BROWN MISHLER, PLLC, and
18 hereby files this motion to modify his current conditions of release.
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20 Mr. Haynes is currently scheduled for sentencing in this case on June
21 22, 2022 at 11:30 a.m. Mr. Haynes has a third-party custodian approved by
22 this court and pre-trial services (Godwin Haynes, his father).
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24 Mr. Haynes has the following release conditions applicable to this
25 request:
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- a. Home incarceration – at his residence with his mother in Texas – except for pre-scheduled medical treatment and court appearances.
- b. Active GPS monitoring of his location, and
- c. No visitors that have not been pre-approved by Pretrial Services.

Mr. Haynes respectfully asks this Court for modification as follows:

- a. Mr. Devarian Haynes would ask that the home incarceration condition be modified for the day of June 19, 2022 (Father's day).
- b. Mr. Haynes has tentative plans (if allowed by this Court) to leave his residence by 10 a.m. and return by 10 p.m. These plans include his remaining at all times in the presence of his third-party custodian, Godwin Haynes (his father). He also hopes to have visitation that day with his other family members including his brother, and most importantly his own son.
- c. Mr. Haynes father is willing to supervise his son during this time away from home confinement to ensure that Mr. Haynes follows the other conditions of his release.

1 d. Mr. Haynes asks for this modification only for Father's Day,
2 knowing that he is to be sentenced the following Wednesday by
3 this Court, and fearing that it may be the last opportunity to
4 spend a Father's Day with his father and his son together for
5 a significant amount of time.
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7 For the above reasons, Defendant Devarian Haynes, respectfully asks
8 this Court for this modification to his release conditions.
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10 Counsel for Mr. Haynes has spoken with AUSA Lisa Cartier-Giroux
11 regarding her position re: the above motion and was informed that the U.S.
12 Attorney's office would not oppose this motion. Counsel has also spoken with
13 pre-trial release officer Jessie Moorehead, on May 20, 2020 regarding this
14 motion, who stated he needed to contact pre-trial release officers in Texas but
15 has not provided a response to counsel regarding pre-trial's position on this
16 motion.
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20 DATED June 2, 2022

21 BROWN MISHLER, PLLC
22

23 */s/ Christopher S. Mishler*
24 By _____
25 CHRISTOPHER S. MISHLER
26 Counsel for Devarian Haynes
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of BROWN MISHLER, PLLC, and is a person of such age and discretion as to be competent to serve papers.

That on June 2, 2022, he served an electronic copy of the above and foregoing **DEFENDANT'S MOTION TO MODIFY CONDITIONS OF RELEASE** by electronic service (ECF) to the person named below:

JASON FRIERSON
United States Attorney
LISA CARTIER-GIROUX
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Christopher Mishler
Employee of BROWN MISHLER, PLLC